



# Indiana Court Times

Supreme Court, Division of State Court Administration  
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## Chief Justice Randall T. Shepard Gives State of the Judiciary Address

January 17, 2007  
(Excerpts)

*"Most Justice Happens in the County Courthouse"*

When I have been privileged to give you this annual report, I have spoken less about the appellate courts and more about advances in Indiana's local courts. This emphasis flows partly from the fact that the Constitution requires that I report to you on the "condition of the Courts" generally and designates my office as Chief Justice of Indiana rather than Chief Justice of the Supreme Court.

There is a more important reason why I spend more time on the work of Indiana's trial courts. About 1.6 million new cases were filed last year (about 70,000 more than 2005) and nearly all started and finished in a trial court. Like justice everywhere, justice in Indiana is either delivered or not delivered in the 170 places we hold court.

### An Electronic BMV System

You know that our most ambitious project is the creation of a statewide case management system to which we are completely committed. But we have another genuine success in 2006. Records of people who are found guilty of traffic violation are sent to Indianapolis, from time immemorial, on paper. A report typed in the courthouse is mailed to Indianapolis and retyped again at the BMV. Since the 1990s, the BMV has been striving to do this electronically. In early 2005, of the 200 courts where most traffic cases are heard, just 33 transmitted electronically. Today, 156 courts do that. That is genuine success, due to the Judicial Technology and Automation Committee (JTAC), chaired by Justice Frank Sullivan, and the staff who work for Lilly Judson, State Court Administrator, JTAC Director Mary DePrez, and the BMV. The paper system took seven weeks to move data from local courts to the state's computers. A drunk driver with a suspended license could leave the courthouse, head toward the tavern, get stopped for running a red light but be



Indiana Chief Justice  
Randall T. Shepard

turned loose, because the records told the officer the driver's license was still in good standing. Those days will soon be gone.

### Combating Domestic Violence

We also use technology to combat domestic violence. On January 16th, a new electronic registry for protective orders went on-line in Blackford and Tippecanoe counties.

A major hole in the system has been the inability of law enforcement officers to access protective orders from other places. Now, officers will be able to access protective orders electronically statewide to better protect domestic violence victims, all thanks to collaboration among our court technology staff, local courts and prosecutors, JTAC, the Criminal Justice Institute, and the State Police.

### Better Advocacy for Children

Protecting children at risk is also changing dramatically. A 2005 decision the legislature made to mandate an advocate for every abused or neglected child who comes to court is being implemented in the most cost-effective way possible: recruiting volunteer advocates for the at-risk child and only for the child, one child at a time. This sort of child advocacy, like the increase in child protective caseworkers the legislature authorized, can really matter. Just ask Kelly Russell, who entered the juvenile system at age eleven after living in a "meth house." Over the seven years Kelly spent "in the system," she stayed in six foster or residential homes, three juvenile facilities, and the Girls' School. One of the few and stable and

*continued on page 2*

*continued from page 1*

consistent figures in Kelly's life was her court-appointed volunteer advocate Gloria Parish. Today, Kelly is a Purdue University graduate, married, and volunteers in support of child advocates. She says she owes it all to Gloria Parish. We must do everything we can to replicate her story.

### **Courts that Solve Problems**

Our trial courts are working to make us smarter about crime. Trial court judges have devised new ways to separate the worst offenders from defendants who can safely be handled in specialized, intensive programs near home. These local initiatives have been implemented through the hard work of the judges themselves and our Indiana Judicial Center and State Court Administration. These efforts are called "problem-solving courts," and their goal is to ensure the sentence imposed does the best, most efficient job possible at preventing an offender from re-offending. Local governments and social agencies, and the DOC, have supported these efforts in about 40 communities where these very intensive programs operate. We have examined the effectiveness of these problem-solving courts. They work. Offenders assigned to the Vanderburgh County Drug Court, at a cost that's half what traditional imprisonment costs, re-offend 17% less often than people sent to prison.

### **Addressing the Language Barrier**

Last year hundreds of court employees, clerks and judges trooped off to Spanish class so they could communicate with the people who speak little or no English. Language differences can make court processes difficult for litigants and court staff. To overcome these barriers, the Supreme Court partnered with Ivy Tech Community College to develop a WorkPlace Spanish® Training Program at regional campuses. To date, 500 people from courts and clerks' offices from 34 different counties have enrolled in this course. Initiatives like this, and the enthusiasm that has greeted it, reflect a strong determination to serve people of all backgrounds who enter the courthouse hoping for justice.

Such projects could be launched by a single court, but it is much more difficult. Judge Barbara Brugnaux generated the idea for a language program. Her committee and our Judicial Center tested a plan in Vigo County, and then we rolled it out, at state expense, at a rate lower than it might have been

because we bought in volume.

A good court system, like a good state government, has room for both local innovation and state participation. Two other areas of court work that might be improved through similar approaches: indigent criminal defense and probation/community corrections. Here, Indiana maintains a patchwork, financed through local property tax, fees, and the general fund. We could represent indigents more effectively and cost-efficiently, and we would save the DOC money if these efforts were budgeted by the state.

### **Matters "Inside the Limestone"**

Even international events affect our work. Judge Terry Snow had a tour in Afghanistan and Judge Matt Hanson will go to Iraq to assist in prisoner evaluation. As for appellate litigation, while judicial officers have been added to deal with growing caseloads in the trial courts, it has been 17 years since we added judges to the Indiana Court of Appeals. Since then the caseload has grown enormously. The Commission on Courts has recommended adding three appellate judges, recognizing the Court of Appeals is working at record levels. Adding three judges will shorten the time our citizens have to wait longer for a decision in their case.

I also want to renew the offer I've made before to help make the case to our fellow citizens that better compensation arrangements that permit able people to serve or continue to serve in the legislature or the executive branch is in our state's best interest.

### **Conclusion**

My profession is often characterized as a center of contention and argument. But it's also a place where good people do many fine things. For example, last fall in an election in southeastern Indiana between lawyer Steve Tesmer, and Judge Ted Todd, the two candidates promised each other that whoever lost would swear in whoever won. On December 29th, a crowd gathered to watch Steve Tesmer administer the oath to Ted Todd.

I think many people would be surprised to know how often moments with that sort of comradeship and respect occur in politics, in government, in Indiana. We in the judicial branch do what we can to make sure it will always be so.

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## Permanent Records in Indiana Courthouses

*As new trial court judges and circuit court clerks take office across Indiana, we call attention to a state statute and a court rule that address the issue of permanent record keeping.*

The statute, originally passed in 1949, requires that the Clerk of the Circuit Court use "permanent jet-black, nonfading ink" when preparing official records in longhand (IC 36-2-17-2). Indiana legislators enacted this law because many county officials were using blue, or blue-black, ink to record permanent entries. The painful lesson learned in county courthouses across the state was that anything other than jet-black ink faded over time. And, while the entry was intended to be "permanent," litigants and clerks discovered that the ink on the document was not.

As a practical matter, there are two primary areas of concern when using ink on an official document: the signature and the file stamp. In both instances permanent jet-black, non-fading ink must be used. In this day of electronic data entry one might realistically ask why is this still relevant? Even in this technologically advanced era, our court clerks still use file stamps, and our judges still sign documents. A number of years ago, someone bombed the Howard County Courthouse. The court judgment dockets were flooded and severely damaged. Signatures on court documents made in blue, or blue-black, ink, and red ink file stamp entries, faded beyond recognition.

***"Here are a couple of simple tests you might use: take the eraser on a number 2 pencil and see if you can erase the text, or apply a wet tissue to it, and rub it in for about 5-10 seconds. In either case, if you can erase the image, or the ink runs or appears on the tissue, then it is not permanent."***

The Indiana Rules of Court, Trial Rule 77 (J), addresses the maintenance of court records. The Division of State Court Administration has the responsibility of approving recordkeeping formats and systems as well as the quality and permanency of records used by circuit court clerks. Our policy mirrors the statutory requirement of using only permanent jet-black, nonfading ink. Generally speaking

the more liquid in the flow of ink, the greater its propensity to fade. So, follow the statute: always use jet-black nonfading ink. Additionally, if any clerks are still using red ink file stamps, please replace them with jet-black, nonfading ink.

Fax machines, copiers and

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computers can also present problems for clerks in fulfilling their duty to maintain permanent court records. Copier toners are susceptible to humidity fluctuations. Order books created in high-humidity environment gradually lose tone and image. Coated paper and dot matrix copiers also generate documents susceptible to fading. For these reasons, we require that the original document must always be placed in the Record of Judgments and Orders (RJO) rather than a copy.

Here are a couple of simple permanency tests you might use: take the eraser on a number 2 pencil and see if you can erase the text, or apply a wet tissue to it, and rub it in for about 5-10 seconds. In either case, if you can erase the image, or the ink runs or appears on the tissue, then it is not permanent.

The court speaks through its order book. The Supreme Court has designated the Chronological Case Summary (CCS) and the RJO as the two permanent records of the trial court. Periodic testing of the inks and toners used to generate records can guarantee that they will be available permanently as intended. Questions may be directed to John Newman at 317-232-2543 or by email at [jnewman@courts.state.in.us](mailto:jnewman@courts.state.in.us).

John Newman

## Feds Fund Forty: Securing Our Courthouses

*In 2006, \$1.7 million was distributed to Indiana trial courts through the "Courthouse Initiative" which was established through a partnership between the Division of State Court Administration and the Indiana Department of Homeland Security. The Initiative made funds from the U.S. Department of Homeland Security available to improve security at courthouses throughout Indiana.*

The Courthouse Initiative funding totaled \$1.7 million, and forty counties received grants through this project. Courts' proposals were evaluated in the order received by the Department of Homeland Security. Funded security enhancements included improvements in camera surveillance, access control, baggage scanners, metal detectors, door and window alarms, and the installation of barricades.

Most counties were reluctant to incur personnel expenses that would continue after grant funding had been used to purchase security equipment, so the equipment purchased was intended to ease the bur-

den on those charged with securing the sites and not require significant staffing increases. For example, courts purchased cameras to allow for complete, continuous and simultaneous surveillance of activity in several areas of interest by a single person, and security control devices were used to limit access to certain areas within the courthouse so that fewer personnel would be necessary to maintain security there.

Opportunities for future federal grant funding dedicated to courthouse security are being explored.

Colleen O'Brien

## Indiana Supreme Court Increases Senior Judge Pay Rates

*Daily pay rates for Indiana's senior judges who work 31 to 74 days per year have been increased, following an order issued by the Indiana Supreme Court.*

In the order signed by Chief Justice Randall T. Shepard on January 18, 2007, senior judges who serve for up to 30 days will continue to be paid \$50 a day.

But for senior judges who work 31 to 74 days, the pay will increase from \$75 per day to \$100 per day. For senior judges who work 75 to 100 days per year, the pay rate remains the same, at \$125 per day.

Indiana Code § 33-23-3-5 caps the number of days a judge may be paid at 100 days for a calendar year.

"Senior judges continue to represent a great

value for the people of Indiana. It is a tremendous asset to have such a seasoned, experienced pool of judges available to our trial courts. The Court was very pleased to be able to provide this modest increase," said Chief Justice Shepard.

Senior judges provide a wide range of services in both the trial and appellate courts. In the first 11 months of 2006, fifty-two senior judges worked a total of 3,414 days. The day totals will grow slightly as claims for December are filed and processed by the Division of State Court Administration.

David J. Remondini



## Trial Rule 81: An Update on Local Court Rules

***From its adoption on January 1, 1972 through December 31, 2004, Trial Rule 81 was one paragraph long and simply stated that each local court could, from time to time, make and amend rules governing its practice provided that they were not inconsistent with the Indiana Rules of Trial Procedure.***

Two (2) copies of all local court rules had to be furnished to the Clerk of the Supreme Court and Court of Appeals. Local courts utilized standing orders to regulate court practice and procedures. However, with the amendment adopted on September 30, 2004, effective January 1, 2005, there are dramatic changes in the way local court rules are enacted, amended, and communicated to the public and the bar.

The new TR 81 set benchmarks and new requirements for local court rules, including: every county must have one set of local rules for use in all courts of record by January 1, 2007; courts can no longer use standing orders (generic orders not entered in the individual cases) to regulate local court practice; local courts must give notice and an opportunity to comment for all new local rules or any amendments to existing rules; courts must follow a schedule for adding to or amending existing rules; courts must follow a standard format for drafting and amending local rules that includes a proscribed numbering system; adopted rules must be placed in the Record of Judgments and Orders and posted with the county clerk and on the county clerk's website, if any, and posted on the Indiana Judicial Website. The new rule

did allow for a transition period from January 1, 2005 until January 1, 2007 for local courts to implement these changes.

Each county is unique as its courts have adopted and amended their local rules over the years. Many local court rules had been developed and discarded over time. Some courts have fairly sophisticated procedures for organizing and recording their local rules, utilizing the best and latest software from Microsoft and its competitors. Others are not quite so technologically advanced. Some counties had prepared and published an extensive set of local court rules. Other counties only have the minimum needed to satisfy the Rules of Court. But most courts are somewhere in between as they have attempted to accommodate the personality of their county.

The good news is that almost every county in the state now has local rules posted on the Indiana Judicial Website. There are some counties that still have a little work to do. If a county is not on the list below as being in compliance with this trial rule, it most likely means that the courts have not submitted their local rules in digital format or they have not renumbered them according to the proscribed system.

The following counties are in compliance with Trial Rule 81:

Adams	Elkhart	Howard	Marion	Porter	Vanderburgh	Scott
Allen	Fayette	Huntington	Marshall	Posey	Vermillion	Pulaski
Bartholomew	Floyd	Jackson	Miami	Putman	Vigo	Monroe
Boone	Fountain	Jefferson	Montgomery	Ripley	Wabash	Lake
Brown	Franklin	Jennings	Morgan	St. Joseph	Warrick	Newton
Clark	Fulton	Johnson	Orange	Spencer	Washington	
Clinton	Grant	Knox	Owen	Starke	Wells	
Crawford	Greene	Kosciusko	Parke	Sullivan	Clay	
DeKalb	Hamilton	LaGrange	Perry	Switzerland	Monroe	
Delaware	Henry	Madison	Pike	Union	Benton	

If your county is not on the above list, hopefully you are very close to being compliant. Please contact Jim Maguire at 317-233-3018 (direct line) or email address: [jmaguire@courts.state.in.us](mailto:jmaguire@courts.state.in.us). We will work with your county to make sure that any unfinished business is wrapped up as quickly as possible.

*James F. Maguire*

## An Open Invite to Attend InCite

*In the first quarter 2007, the Division of State Court Administration, with the help of its JTAC staff, will collect the Quarterly Case Statistic Reports (QCSR) and the probation reports via the on-line system, INCite.*

In preparation for the April 10, 2007, deadline for the reports, the Division staff will be conducting training for judges and staff who prepare statistical reports. The training will be held at the Indiana Government Center in March and April. There will be both morning and afternoon sessions.

The training will be divided into two parts. The first part will discuss how to compute the totals for the reports. The second will show how to populate the forms electronically. Materials will be provided to attendees and will be available upon request to all who are unable to attend but wish to have the references. Training on the probation reports will take place as part of the annual probation meeting on May

3 & 4, 2007. The Indiana Judicial Center staff will be an active participant and the training will come through the Center.

Once the final schedule has been determined, the Division will make an announcement and accept registration via the website. Admission to the training sessions will be on a first-come-first-serve basis. Don't wait to sign up, as each attendee will need to register because of space constraints.

For further information contact Kristin Donnelly-Miller, Esq. at 317-232-2542, or by email at [kdmiller@courts.state.in.us](mailto:kdmiller@courts.state.in.us).

*Kristin Donnelly-Miller*

## Jury Management System

*With more than 2,000 jury trials in Indiana each year, a critical job for court and clerks staffs is gathering a jury pool.*

The Indiana Supreme Court, Judicial Technology and Automation Committee (JTAC), and the Indiana Jury Committee are developing a web-based Jury Management System (JMS) that will call, track and help pay jurors, saving time and increasing the efficiency of the system.

The Jury Management System will be available to courts free of charge. The goal is to have it available for statewide use in 2008.

Currently, 33 Indiana counties do not have a commercial jury management system, and many that do have systems want more functions.

The Jury Management System will be available through INCite (Indiana Court Information Technology Extranet), created and maintained by JTAC.

The system will be able to:

- Select jurors randomly

- Assign and manage panels
- Manage claims to pay jurors
- Print labels, summonses, orders and other documents.
- Provide an automated website that lists jury panel cancellations by ID number, giving citizens an alternative to calling in before appearing

The system is currently in development, and local listening sessions have been held to get input from jury administrators and appropriate local officials.

"This kind of invaluable feedback is helping JTAC produce and deliver the best possible jury management system that will serve the needs of all courts in Indiana. It will make the system more efficient, saving both time and money," said Lilia G. Judson, Executive Director of the Division of State Court Administration.

*Mary DePrez*

## 2007 Newly Elected Judges



Thomas Alevizos  
LaPorte Circuit



Gail Bardach  
Hamilton Sup #6



Lisa F. Borges  
Marion Superior



Stephen R. Bowers  
Elkhart Superior #2



Leo T. Burns  
Cass Circuit



Vicki Carmichael  
Clark Sup. Court #1



Steven R. Eichholtz  
Marion Superior Court



Lucy Goffinet  
Perry Circuit



Thomas M. Hakes  
Huntington Circuit



Teresa Harper  
Monroe Circuit #8



Brian D. Hill  
Rush Superior



Francie Hill  
Monroe Circuit Div.5



Robert E. Kirsch  
Noble Superior



Stephanie LeMay-Luken  
Hendricks Superior #5



Michael J. Lewis  
Vigo Sup. #6



Jeff Meade  
Gibson Circuit



Jane Woodward Miller  
St. Joseph Superior



John D. Potter  
Jasper Circuit



Mark E. Spitzer  
Grant Circuit



Mark A. Smith  
Hendricks Sup. #4



Jose Salinas  
Marion Superior



Elizabeth Tavitias  
Lake Superior



Joseph D. Trout  
Clay Circuit Court



Heather Welch  
Marion Superior



Dean A. Young  
Blackford Circuit

### Magistrates

Jeanene Calabrese, Starke Circuit Court (12/23/06)  
[replacing Mary DeBoer]

Faith Graham, Tippecanoe Superior Court (1/17/06)

Rochelle S. Cotter, St. Joseph Probate Court (10/12/06)

Richard Stalbrink, LaPorte Circuit Court (1/29/07)

### Full-Time Commissioners/Referees

John Boyce, Marion Superior Court (1/1/07)

Melissa Kramer, Marion Superior Court (7/10/06)

## JTAC Protection Order Registry Will Provide Added Safety to Victims

***When judges across Indiana issue Protection or No Contact orders they assume they are helping provide an added measure of safety in potentially dangerous situations. But the orders are only effective if local law enforcement officers know they have been issued.***

Orders that once took hours or days to get into the hands of those local officials will now arrive in minutes – and be available to local law enforcement officers and their counterparts across Indiana as well as at the FBI's national databank.

The Indiana Supreme Court partnered with the Indiana Criminal Justice Institute and State Police to receive a \$259,000 federal grant to create the state-wide Protection Order Registry (POR). It will make judges' orders available to local, state and national law enforcement agencies within minutes, at no cost to counties.

The POR will link all Indiana courts issuing Protection or No Contact Orders with the State Police's Indiana Data and Communication System (IDACS) and the FBI's National Crime Information Center (NCIC).

When an order is issued, two things will happen immediately:

1. The Order will be electronically entered into the POR system and shared with IDACS and NCIC

within minutes, and

2. The fact sheet regarding the Order will be faxed or emailed to local law enforcement agencies where the parties live and work and as designated by the court.

This will all happen before the parties even leave the courthouse, ensuring this vital information is shared with those who need to know.

Deployment in two pilot counties, Tippecanoe and Blackford, began in January. Current grant funding will pay for two pilots and 19 additional counties. The court is working to identify additional funds to deploy the system in all 92 counties.

"We are very grateful for the support we have received from state partners, law enforcement organizations and domestic violence advocates to make this project a reality. We know it is vital to get this information transmitted as soon as possible, and the end result is increasing the safety of parties involved in these cases as well as local law enforcement officers," said Mary L. DePrez, JTAC Counsel and Director for Trial Court Technology.

Mary DePrez

## Indiana Courts Online Reports (ICOR) To Launch 1<sup>st</sup> Quarter 2007

***The Indiana Supreme Court Division of State Court Administration (STAD) currently distributes and collects thirteen different forms or reports seeking information on case types, distribution of judicial resources, workload, staffing, operations, budget, revenue, probation and court reporter fees.***

Only one report, the Quarterly Case Status Report (QCSR), can now be submitted electronically. All other forms are sent out and collected on paper and are manually entered into an AS-400 database by Division staff.

The Judicial Technology and Automation Committee (JTAC) staff is developing a secure web database application to collect the statistical data that STAD is statutorily required to compile, analyze and report. This process will allow almost 400 trial

courts and probation departments to submit reports electronically.

The new ICOR application will function independently within an existing software program known as INCite (Indiana Court Information Technology Extranet). INCite is currently in use by many of the courts as an electronic means to submit court conviction abstracts to the Indiana Bureau of Motor Vehicles within federally-mandated time limits. Thus, courts and clerks' offices are already familiar with INCite's

*continued on page 12*



## Supreme Court Chooses Tyler CMS For Indiana Project— Work in the Field Underway

*The Indiana Supreme Court selected Tyler Technologies, Inc. to supply and install a new case management system for Indiana trial courts, and assessment work is already underway in local courts.*

Indiana Supreme Court Justice Frank L. Sullivan Jr., who chairs the court's Judicial Technology and Automation Committee, explained there are two steps in the process for acquiring Tyler's "Odyssey Court Manager" system.

First, Tyler and JTAC will enter into a limited contract to conduct a detailed assessment of Odyssey's functions and the functions required by Indiana's courts. This will assure that the time and cost of any additional application development work needed will be reasonable and acceptable.

That process, called a "fit analysis," will be conducted in the field at local courthouses. Once it is completed to the satisfaction of the users, a contract to provide Odyssey to Indiana courts will be executed.

"More than 1.5 million cases are filed in Indiana courts each year, and law enforcement officers, lawyers, government agencies, and citizens need access to timely and accurate information. Only a statewide, 21<sup>st</sup> Century case management system will connect

all courts with each other and with those who need court information," said Sullivan.

Chief Justice Randall T. Shepard also thanked the many court officials and stakeholders who were involved in the vendor selection process.

"Judges, clerks, technology experts, and local court staff gave us input and spent thousands of hours assessing proposals. They conducted interviews with people in 16 states and 17 Indiana counties and more than 175 stakeholders attended public demonstration sessions," Shepard said. "We are grateful for their time and diligence that helped bring this project closer to reality."

Tyler is installing Odyssey statewide in Minnesota and New Hampshire and in individual courts in Florida, Nevada, Texas, and other states. The Tyler proposal projects costs of approximately \$13.4 million over the life of the project for software licensing, maintenance and support and for vendor provided training and deployment.

Mary DePrez

## US Chief Justice Roberts Appoints Chief Justice Shepard to Federal Rules Committee

*The Hon. John G. Roberts, Jr., Chief Justice of the United States Supreme Court, has appointed Indiana Chief Justice Randall T. Shepard to the principal committee through which the U.S. Supreme Court develops changes to the Federal Rules of Civil Procedure.*

Chief Justice Shepard will serve a three-year term on the 14-member Judicial Conference Advisory Committee on Civil Rules of the Judicial Conference of the United States. He will be the only state court judge sitting on the committee. It is relatively rare that a state court judge is named to a committee of the federal Judicial Conference, the governing body for the nation's federal courts.

The committee recommends changes and updates to the Federal Rules of Civil Procedure. Aside from

governing litigation in the federal courts, these rules represent the model for rules used in most state courts, including Indiana.

"I was very gratified that Chief Justice Roberts asked me to serve, and I am very pleased that the Indiana judicial system is now represented on this important committee," said Chief Justice Shepard.

Chief Justice Shepard's term begins immediately.

## BMV Project Builds on Success, Starts Phase II

*The Division of State Court Administration, JTAC staff and state Bureau of Motor Vehicles (BMV) have already achieved great success in working together to help Indiana's trial courts and clerks meet new federal rules requiring faster reporting of serious traffic violations by commercial drivers.*

The Federal Motor Carrier Safety Improvement Act requires that major offenses be reported within 30 days in 2007 within 10 days by 2008.

Here's our success so far "by the numbers":

**53** – Average number of days it used to take to send traffic records to the BMV

**17** – Current number of days it takes to send traffic records to the BMV

**30** – Number of courts sending records electronically before the JTAC-BMV project

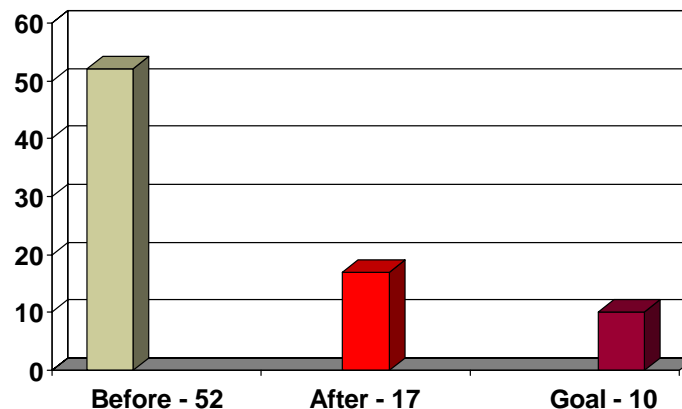
**157** - Number of courts sending records electronically after the JTAC-BMV project

**392** – Number of site visits staff made to local courts for training and assessments

**\$600,000** - Total grant funds Supreme Court awarded local courts and clerks for upgrading systems, buying new equipment and training classes.

"Our outstanding JTAC staff and the many partners at the BMV and law enforcement agencies have made this success possible. The collaboration between the judicial and executive branch as well as local officials has helped us reach our goals faster and laid the groundwork for even more joint projects," said Lilia G. Judson, Executive Director of the Division of State Court Administration.

Number of Days Until BMV Gets Records – Before and After JTAC Project



Because of the great success of this project, the Supreme Court has been awarded additional federal grant funds to allow for even more electronic reporting of records. The key project goals are to increase efficiency and enhance the safety of our highways by identifying dangerous drivers.

The Phase II work will:

- Allow courts to transmit even more serious traffic violations in real time

- Add the ability to electronically submit an Affidavit for Probable Cause

- Add the ability to electronically submit an Order of Conditional Probation

- Ensure that driving privileges, suspensions, disqualifications and convictions are posted on driver records in a timely manner as required by state and federal law.

Mary DePrez

## Marriage License Project: Increase Efficiency, Enhance Records, Aid Genealogists

*Every year, about 45,000 Indiana couples marry and each one must go to the local clerk's office for a license. At that office, the bride and groom's names are handwritten three times each in a large, paper record book. That means names are written 270,000 times a year - equal to one name being written every other minute, 365 days a year.*

That does not include the time it takes to do the required entry of these records into Indiana State Department of Health (ISDH) and Indiana State Library (ISL) databases.

The Division's Judicial Technology and Automation Committee (JTAC) staff, ISDH and ISL collaborated to create Marriage License E-File, an automated system for issuing licenses at local Circuit Court Clerks offices. The goal is to collect all the required information just one time and store the information electronically. The public information in this database will also be searchable.

"This system will save thousands of hours now spent hand writing entries, making duplicate data entries and searching through old paper record books. It will also be a great tool for Hoosiers who want to do genealogical research because records will now be searchable and available over the Internet," said Indiana Supreme Court Chief Justice Randall T. Shepard.

Marriage License E-file System is a web-based system that will soon be available to counties free of charge. An electronic Marriage License Application will capture the information entered by the Clerk who will then print an application for the couple to

sign. After the wedding, the Officiant will also sign the license. The couple will return the license after the ceremony, and the clerk will electronically enter the officiant's information, date and location of the marriage.

This system will eliminate the need for paper recordkeeping and allow clerks to quickly search marriage records statewide. Clerks will be able to print certified copies without having to search through stacks of record books.

The Marriage License E-File System will also ensure that current and accurate information is available to state agencies needing marriage data. JTAC will provide access to ISDH for retrieval of information as required by law. This will eliminate the need for counties to forward paper forms, saving copying time, postage and mailing costs and the need for duplicate data entry.

The system will also make up-to-date public information available to citizens searching their family history via the Internet. ISDH will add its existing database of marriages since 1993 to the new system and it is anticipated the State Library will also provide its electronic marriage data.

Mary DePrez

## New Circuit Court Clerks for 2007

Benton County	Hasser, Janet
Boone County	Penny S. Bogan
Decatur County	Janet Chadwill
Fayette County	Ann Frost
Floyd County	Linda Moeller
Fountain County	Patty Gritten
Fulton County	Letty McKee
Gibson County	Becky Woodburn
Grant County	Mark J. Florence
Greene County	Jacquelin Winstead
Hancock County	Shari Burris
Jefferson County	Kim Smith

Jennings County	Ronald Bloemer
Marion County	Elizabeth White
Morgan County	Margaret Mayfield
Owen County	Harley E. Melton
Parke County	Kimberly Shorter
Perry County	Debra A. Elder
Posey County	Donna K. Butler
Pulaski County	Becky Bruce
Putnam County	Marty Watts
Starke County	Evelyn Skronski
Union County	Susan M. Ray

## Proposed Rule Amendments

*Posted on Court Website*

***The Indiana Supreme Court Committee on Rules of Practice and Procedure has posted proposed rule amendments in four areas on the Supreme Court's website ([www.in.gov/judiciary/rules/proposed/](http://www.in.gov/judiciary/rules/proposed/)).***

In addition, proposed rule amendments offered by the Indiana State Bar Association, Special Committee on Lawyer Advertising and the Indiana Commission for Continuing Legal Education have also been posted in the same location. Public Comment on these proposals are invited **through May 11, 2007**, and may be emailed to [localrulescomments@courts.state.in.us](mailto:localrulescomments@courts.state.in.us), mailed to Lilia G. Judson, Executive Director, Indiana Supreme Court, Division of State Court Administration, 115 West Washington Street, Suite 1080, South Tower, Indianapolis, IN 46204, or faxed to 317-233-6586, attention Lilia G. Judson.

The Rules Committee has proposed changes to the Appellate Rules with regard to interlocutory appeals involving class action certification issues and, in a separate matter, the procedure for appeals for Indiana Tax Court decisions. Changes to **Appellate Rules 14, 15 and 57** are intended to facilitate early review of class action certification issues in appropriate cases. Changes to Appellate Rule 63 are intended to make appeals from Tax Court cases more akin to appeals in other types of cases.

**Trial Rules 26, 34, and 37** are the subject of proposed changes to account for discovery in the electronic age. The proposed amendments are based upon changes recently implemented in the Federal Rules of Procedure.

The final amendment sponsored by the Rules Committee deals with attorney surrogates. This proposal provides a mechanism in cases where an attorney is incapacitated or abandons the practice of law without providing for protecting client interests.

The amendments offered by the Indiana State Bar Association deal with attorney advertising. These proposed changes are presented in **Ind. Professional Conduct Rules 7.2, 7.3, 7.4 and 7.5**. Related to this issue, the Commission for Continuing Legal Education has offered an amendment regarding the certification of lawyers as specialists. This proposal is set out in changes to **Ind. Admission and Discipline Rule 30**.

After the close of public comment on May 11, 2007, a report will be prepared for consideration by the Supreme Court. Comment on the proposals is encouraged and greatly valued by the Court.

*Tom Caruisillo*

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*Indiana Court Online Reports continued from page 8*

user-friendly feel. Education efforts will include large group training in Indianapolis, special training during the annual probation meeting, the availability of field training, and demonstrations at clerk/court conferences and seminars. Education on the new system will be supported by an interactive video and a technical manual, in both paper and electronic versions.

The Division receives statistical requests on a weekly basis from the courts, the legislature, state and federal agencies, the media, educational institu-

tions, the Bar, and the public. Some are relatively simple, but others can be very involved – pulling from data submitted in multiple reports. The old system used an AS400 database, which has limited reporting capabilities, making some of these inquiries difficult to fulfill in a timely manner. The proposed project would make reliable statistical reports more readily available in a more timely manner. Ultimately, significant decisions are made using the statistics gathered including the decision to create new courts and the funding of projects and initiatives.

*Kistin Donnelly-Miller*

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## Dave Remondini Joins STAD as Chief Deputy Executive Director

David Remondini, longtime Counsel to the Chief Justice Shepard has been named to the newly created position of Chief Deputy Executive Director for State Court Administration, Chief Justice Shepard and Executive Director Lilly Judson announced.

Mr. Remondini, who has worked for the Chief Justice since 1995 after a 15-year career as a reporter for The Indianapolis Star, assumed his duties on Feb. 19<sup>th</sup>.

During his tenure with the Chief Justice, Mr. Remondini has been responsible for overseeing the development of the Supreme Court's state-wide pro bono and pro se projects, the Conference on Legal Education Opportunity law school scholarship program, and the "cameras in the court" projects for the appellate and trial courts. He also supervised the start-up of the Court's webcasting and "Courts in the Classroom" project and served as the Chief Justice's liaison to the news media, state and local bars and a host of other groups and organizations.

In the new position, Mr. Remondini will oversee the day-to-day operations of the Division of State Court Administration and its many projects and programs. He will report directly to Mrs. Judson.

Dave Remondini has had a wide-ranging impact on the court over the last 11 year. He has been involved in nearly every aspect of the Court's operations. I have appreciated his dedication and commitment to both the Court and the people of Indiana. I will miss having him in my office every day but I am very glad he is not going too far away," said Chief Justice Shepard.

"It has been one of the great honors of my life to work so closely with Chief Justice Shepard and it will be hard to walk out the door for the last time. But in my new position I not only get the chance to continue to work for the Chief Justice but also to be part of an operation staffed by great people who do so much for the people of Indiana," said Remondini.

"I told the Chief Justice he is not losing his Counsel; he is gaining a much improved Division of State Court Administration. I am thrilled Dave is going to join our talented staff. His broad knowledge of the trial courts and the legal system will be a tremendous addition to our operations," said Lilia Judson.

Mr. Remondini is a graduate of Ripon College in Wisconsin and earned his law degree from Indiana University School of Law at Indianapolis.

## Mike Murphy Assigned to New Position of Court Improvement Program Statistical Analyst

Staff Attorney Mike Murphy has been assigned to State Court Administration's new position of Court Improvement Program Statistical Analyst. In this capacity, he will be working with the CIP Multidisciplinary Task Force, Trial Judges, JTAC,

DCS and other entities to define and implement a data model for tracking the CHINS and Termination of Parental Rights in Indiana Courts, with the ultimate goal of providing information to enable improvements in the state's child welfare system.

## Loretta Oleksy Joins STAD as Project Manager for Family Court Project

Loretta Oleksy has joined STAD as Project Manager for the Family Court Project. In her position, she will be assisting new and existing family courts with project implementation, overseeing use of family court funds by the programs, and supporting transition counties in their efforts to obtain permanent local funding. She will also work with the Family Court Project Steering Committee to develop

and manage the process for selecting new family court projects every two years.

Loretta is a former advocate and staff attorney with Child Advocates, Inc., and also worked as a solo practitioner in the areas of adoption and family law. She is a graduate of DePauw University and earned her law degree from Indiana University School of Law at Indianapolis.

## *In This Issue*

Chief Justice Randall T. Shepard Gives State Of Judiciary Address .....	1-2
Permanent Records in Indiana Courthouses .....	3
Feds Fund Forty: Securing Our Courthouses .....	4
Indiana Supreme Court Increases Senior Judge Pay Rates .....	4
Trial Rule 81: An Update on Local Court Rules .....	5
An Open Invite to Attend InCite .....	6
Jury Management System .....	6
2007 Newly Elected Judges .....	7
JTAC Protection Order Registry Will Provide Added Safety to Victims .....	8 & 12
Indiana Courts Online Reports (ICOR) to Lanuch 1st Quarter 2007 .....	8
Supreme Court Chooses Tyler CMS For Indiana Project--Work in the Field Underway .....	9
U.S. Chief Justice Roberts Appoints Chief Justice Shepard to Federal Rules Committee .....	9
BMV Project Builds on Success, Starts Phase II .....	10
Marriage License Project: Increase Efficiency, Enhance Records, Aid Genealogists .....	11
New Circuit Court Clerks for 2007 .....	11
Proposed Rule Amendments .....	12
Changes at STAD	
Dave Remondini .....	13
Mike Murphy .....	13
Loretta Oleksy .....	13
Index .....	14

Our goal is to foster communications, respond to concerns, and contribute to the spirit and pride that encompasses the work of all members of the judiciary around the state. We welcome your comments, suggestions and news. If you have an article, advertisement, announcement, or particular issue you would like to see in our publication, please contact us.

**If you would like to receive this newsletter via e-mail, or by accessing our website, please send a message to [dguthrie@courts.state.in.us](mailto:dguthrie@courts.state.in.us) to have your name added to our electronic list and removed from our hardcopy mailing list.**

### **Editorial Board**

Lilia G. Judson, Executive Director, State Court Administration  
 Jim Maguire, Editor, State Court Administration  
 Deborah Guthrie-Jones, Production Coordinator, State Court Administration

**Contributors:** Tom Carusillo, Director, Trial Court Services, Division of State Court Administration; Mary DePrez, Director, JTAC Counsel and Director for Trial Court Technology; Kristin Donnelly-Miller, Staff Attorney, Division of State Court Administration; Lilia G. Judson, Executive Director, State Court Administration; James F. Maguire, Staff Attorney, Division of State Court Administration; John J. Newman, Director, Information Management Section, Division of State Court Administration; Colleen O'Brien, Director, Trial Court Management, Division of State Court Administration; David Remondini, Chief Deputy Executive Director, Division of State Court Administration; Chief Justice Randall T. Shepard, Indiana Supreme Court.

### **Please Circulate to Co-workers**

**This newsletter reports on important administrative matters. Please keep for future reference.**

## *Indiana Court Times*

Indiana Supreme Court  
 Division of State Court Administration  
 115 W Washington Street, Suite 1080  
 Indianapolis IN 46204-3466